

Amendments to the Drawings

The attached sheet of drawings includes changes to Figure 1 (Sheet 1/3) wherein certain elements of the block diagram have been labeled with text in addition to the numerals referenced in the specification according to the request from the Office of page 2, paragraph 1 of the Office Action.

Attachment: One Replacement Sheet (Fig. 1, Sheet 1/3)

Remarks

For greater clarity in the drawings, the Examiner has requested a replacement drawing for Figure 1 with the elements of the block diagram labeled in addition to the numerals referenced in the specification. Accordingly, a replacement sheet for sheet 1/3 (Fig. 1) is attached hereto with the suggested changes.

The Examiner has rejected claims 1, 2, and 5 under 35 USC 102(b) as being anticipated by US Patent 6,234,769 to Sakai et al. (hereinafter Sakai).

The Examiner has further rejected claims 1, 5, 6 and 9 under 35 USC 102(b) as being anticipated by US Patent 5,867,996 to Takano et al. (hereinafter Takano).

Claim 1 has now been amended to include subject matter formerly included in claims 6 and 7. Claims 6 and 7 have now accordingly been cancelled. It is therefore submitted that the rejections under 35 USC 102(b) should be withdrawn, inasmuch as neither Sakai nor Takano disclose measuring the rotational speed of the drive engine, and controlling the conveying performance of the conveying device by controlling the auxiliary motor as a function of at least one magnitude of the condition of the medium and the rotational speed of the drive engine. It is further submitted that neither Sakai or Takano anticipate claim 1 because neither reference teaches the measurement of at least one magnitude of the condition of the flowing medium including at least one of: a pressure; an amount of flow; or, a velocity.

The Examiner has also rejected claims 3-4 and 7-10 under 35 USC 103(a), with the Examiner's position being that claim 3 is obvious in view of Sakai, claims 4-10 are unpatentable over Takano in view of US Patent 5,628,234 to Crook et al., and that claims 7-9 are unpatentable over Takano in view of US Patent 6,073,456 to Kawai et al. (hereinafter Kawai).

While the Examiner asserts that the subject matter of claim 7, now included in claim 1, is disclosed in Kawai, it is respectfully submitted that while Kawai discloses measuring engine speed there is no suggestion to combine the teachings of Kawai

with those of Takano because Kawai merely teaches to utilize engine speed as one parameter to determine whether the engine should be operated or not. There is nothing in the teachings of Takano or Kawai to suggest that engine speed should be measured as one parameter for the control of an auxiliary motor to control or regulate the performance of a conveying device.

In conclusion, it is believed that this application is in condition for allowance, and such allowance is respectfully requested.

Should the Examiner believe that a telephonic conference would be useful in furthering the present application toward allowance, the undersigned attorney would welcome such a call.

Any fees or charges due as a result of filing of the present paper may be charged against Deposit Account 04-0525.

Respectfully,

/W. Michael Dixon # 37815/
Attorney for Applicant(s)

W. Michael Dixon
Reg. No. 37,815
Patent Department
Deere & Company
One John Deere Place
Moline, IL 61265
Telephone No. (309) 765-5159